

Remarks

Claims 1-5 were rejected under §112, second paragraph, and have been amended as to form. Reconsideration and withdrawal of the rejection are respectfully requested.

Claims 1, 6, and 9 were rejected as anticipated by HONKASALO 6,510,148. Claims 1 and 6 have been amended and claim 9 has been canceled. Reconsideration and withdrawal of the rejection are respectfully requested.

In addition, new claims 10-15 have been added and are also believed to be allowable.

HONKASALO discloses that with each new power control command received from the base station 30, the mean output power is updated, and if it exceeds the mobile station's power output threshold, then the parameter reverse supplemental channels is reduced until the new mean output power value falls below the threshold. Alternatively, the mobile station 10 examining the average "mean output power" values over several power control commands in order to make a decision on whether to change the number of supplemental channels in use (column 9, lines 56-64).

On the other hand, the present invention includes a mobile terminal comprising a transmitting circuit that stops transmitting the second reverse channel on the basis of the number of the power control signals that increase the transmission power of the reverse signal and that are received by

the receiving circuit while the transmission power of the reverse signal is maximum.

However, HONKASALO neither discloses nor teaches that the mobile terminal comprising a transmitting circuit stops transmitting the second reverse channel on the basis of the number of the power control signals counted.

KONG et al. US 2003/0128674 disclose that the base station examines the power control bit PCB from the mobile station and counts the number of power-up PCBs and the number of the power-down PCBs received. However, KONG et al. do not disclose a mobile terminal comprising a transmitting circuit that stops transmitting the second reverse channel on the basis of the number of the power control signals that increase the transmission power of the reverse signal and received by the receiving circuit while the transmission power of the reverse signal is maximum.

KONG et al. disclose that when the count value of the power-up PCBs, within a predetermined time duration exceeds a predetermined value, the decision block 213 may generate the control signals so as to increase the current channel data rate. This means decreasing in link budget, not increasing the link budget.

Thus, the modification suggested by KONG et al. would render HONKASALO unsatisfactory for its intended purpose.

COPY FOR DEPOSIT  
ACCOUNT PURPOSES

Application No. 09/774,635  
Amdt. dated May 17, 2004  
Reply to Office Action of February 17, 2004  
Docket No. 8040-1032

Accordingly, there is no suggestion or motivation to make the proposed modification in HONKASALO.

Accordingly, there is no suggestion in the proposed combination to provide the mobile terminal as set forth in the amended claims herein. Accordingly, reconsideration and withdrawal of the rejections are respectfully requested.

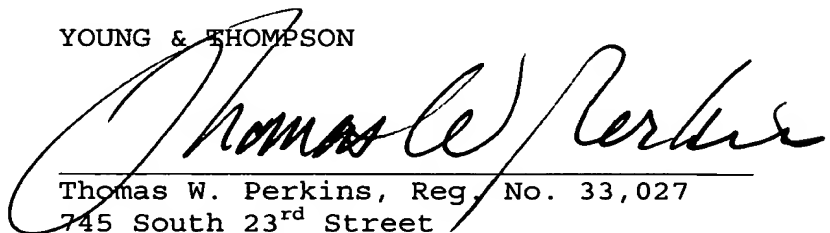
In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

Please charge the fee of \$86 for the one extra independent claim added herewith to Deposit Account No. 25-0120.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. §1.16 or under 37 C.F.R. §1.17.

Respectfully submitted,

YOUNG & THOMPSON



Thomas W. Perkins, Reg. No. 33,027  
745 South 23<sup>rd</sup> Street  
Arlington, VA 22202  
Telephone (703) 521-2297  
Telefax (703) 685-0573  
(703) 979-4709

TWP/lrs